
UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF TEXAS**

UNITED STATES OF AMERICA

versus

BRIAN JOSEPH DEJOHNETTE

§
§
§
§
§

CASE NO. 1:04-CR-148(2)

MEMORANDUM ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge. In accordance with 18 U.S.C. § 3401(i) and 18 U.S.C. § 3583(e), Judge Giblin held a hearing and submitted findings of fact and a recommendation on the defendant's plea of true. The magistrate judge recommended that the Court revoke the defendant's supervised release and impose a term of imprisonment for the revocation.

The defendant waived his right to be present and allocute at sentencing and the parties have filed notices indicating that there are no objections to Judge Giblin's recommendation. The Court **ORDERS** that the findings of fact and recommendation on plea of true (#96) are **ADOPTED**. The Court finds that the defendant, Brian Joseph DeJohnette, violated conditions of his supervised release. The Court **REVOKES** his term of supervision. Pursuant to Judge Giblin's recommendation and the parties' agreement, the Court **ORDERS** the defendant to serve a term of forty (40) days imprisonment for the revocation with credit for time served and no additional term of supervision to follow.

SIGNED at Sherman, Texas, this 12th day of March, 2013.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE